

**MINUTES OF A WORK SESSION WITH STAFF
AND A REGULAR MEETING OF THE VINEYARD TOWN COUNCIL
Vineyard Town Hall, 240 East Gammon Road, Vineyard, Utah
September 23, 2015 at 6:00 pm**

6:00 PM WORK SESSION WITH STAFF

Present

Absent

Mayor Randy Farnworth
Councilmember Sean Fernandez (6:45 PM)
Councilmember Julie Fullmer (6:34 PM)
Councilmember Dale Goodman
Councilmember Nathan Riley (6:45 PM)

Staff Present: Public Works Director/Engineer Don Overson, Treasurer Jacob McHargue, Town Planner Aric Jensen, Utah County Sheriff's Deputy Collin Gordon, Town Attorney David Church.

Others Present: Resident Chris Judd; John Janson with Civil Solutions.

Mayor Farnworth opened the work session at 6:06 PM.

Mayor Farnworth reviewed the agenda with Council and Staff.

Mayor Farnworth asked Town Attorney David Church about the requirements for food truck services Mr. Church replied that the council needed to decide what they would like to do about them. He said that they could register under the Transient License, but do they want to allow them to park on public property. He indicated that they could have a separate license for food trucks. Mr. Church agreed to put together an ordinance and have this item placed on the next agenda.

7:00 PM REGULAR SESSION

Present

Absent

Mayor Randy Farnworth
Councilmember Sean Fernandez
Councilmember Julie Fullmer
Councilmember Dale Goodman
Councilmember Nathan Riley

Staff Present: Public Works Director/Engineer Don Overson, Treasurer Jacob McHargue, Town Planner Aric Jensen, Utah County Sheriff's Deputy Collin Gordon, Town Attorney David Church, Deputy Recorder Kinsli McDermott.

Others Present: Residents Tyce Flake, Chris Judd, Cristy Welsh; Vic Larsen Orem resident and principal of Vineyard Elementary; John Jansen with Civil Solutions.

Regular Session - The meeting was called to order at 7:00 PM. Town Planner Aric Jensen offered the invocation.

CONSENT ITEMS:

- a) Approval of July 22, 2015 Minutes
- b) Approval of August 26, 2015 Minutes

Motion: COUNCILMEMBER FULLMER MOVED TO APPROVE THE CONSENT ITEMS. COUNCILMEMBER GOODMAN SECONDED THE MOTION. ALL PRESENT WERE IN FAVOR. MOTION CARRIED UNANIMOUSLY.

PLANNING COMMISSION UPDATE AND RECOMMENDATIONS TO THE COUNCIL:

Planning Commission Chair Wayne Holdaway - Chair Holdaway presented a report from the Planning Commission. He discussed the Town Center plan, and noted that the Planning Commission strongly recommended approval of the Town Center project.

Mayor Farnworth expressed appreciation to the Planning Commission for their hard work.

STAFF REPORTS

Public Works Director /Engineer– Don Overson – Mr. Overson reported that several large changes had taken place in the Public Works department. He stated that he had received a letter of acceptance for the Building Official position. He said the new building official would begin working two (2) weeks from this coming Monday. He reported that a new Public Works Inspector had been hired, along with a part time Public Works technician. Mr. Overson gave an update on the Traffic Calming project. He reported that the striping had been ordered and that he did not have an exact date as to when the radar sign would be delivered.

Councilmember Riley asked Mr. Overson about the school safety route. Mr. Overson said that he had inquired about it but had not received much information to that effect. He said that he would keep the councilmembers updated as he received more information.

Mr. Overson also gave an update on the inmate cleanup crew's progress.

Mayor Farnworth asked about repercussions from the oil/hydraulic fluid spill on the roads. Mr. Overson stated that the trucks delivering had malfunctions. He explained that one truck was leaking hydraulic fluid; the other truck was dropping small amounts of trash each time the trash was pushed back into the truck. He said that Republic Services assured them that the issues had been resolved, and that this would not be an ongoing issue.

Attorney – David Church – Mr. Church explained that he had been on a conference call with the railroad about the relocation of the rail spur. He stated that they made a proposal for \$16.2 million which he told them was above the town's budget. He said that they came back with a final proposal of \$14.6 million, lowering 1.6 million from initial bid, noting that it was a firm price. Mr. Church said in order to make the deal, there would need to be easements dedicated to the Town. Mr. Church mentioned that he discussed this matter with Anderson Geneva. He said that in order to make this deal with the railroad work, there would be additional costs for easements, which would bring the total cost up to just over \$15 million. Mr. Church suggested they add the agreement to the next agenda to formally approve it, and added that they would solidify bids from Martin Snow and Anderson Geneva.

Mr. Church mentioned that he was planning, at the request of the Business Licensing Department and the Mayor, to draft up an ordinance which addressed having food trucks in Vineyard.

Utah County Sheriff's Deputy – Collin Gordon – Deputy Gordon had no new items to report.

Planner – Aric Jensen – Mr. Jensen had no new items to report.

Treasurer – Jacob McHargue – Mr. McHargue reported that he put the purchasing report and the budget revision in the DropBox. He mentioned that he was in the interviewing process for the positions discussed at the last meeting, that he had purchased another town truck, and that one more truck would be purchased in the coming weeks.

Town Clerk/Recorder – Pamela Spencer – Ms. Spencer was excused.

COUNCILMEMBERS' REPORTS

Councilmember Dale Goodman – Councilmember Goodman had no new items to report.

Councilmember Julie Fullmer – Councilmember Fullmer reported that she had finished the party planning board. She mentioned that the Youth Council was putting on a Councilmember Candidate Debate tomorrow evening at 7 PM.

Councilmember Sean Fernandez – Councilmember Fernandez reported that the TSSD board was debating on whether or not they could drop fees after the plant expansion was complete. He said that the problem was that if we kept the money the way it was, that in 8 years they would be able to pay off all of their bills. He stated that if they kept it the same, it was about \$4 per resident per month. He asked for input from the councilmembers.

Councilmember Nate Riley – Councilmember Riley reported that he attended the Utah League of Cities and Towns conference last week. He suggested that they put together a form for someone attending conferences or classes, to allow them to share and discuss their experiences. He thinks there was a lot to be learned from reviewing some of those topics. Mayor Farnworth asked if personnel should report back to council as well as the councilmembers. Councilmember Riley felt that if the conferences and trainings that personnel attended were relevant to council, then they should report, otherwise the councilmembers should report relevant topics back to the council.

MAYOR'S REPORT - Mayor Farnworth felt that the town was staying ahead of the curve. He said that there were a couple of issues that were cause for concern, particularly the developers not following the standards. He noted that people are appreciative of the red curbing.

Mayor Farnworth mentioned that there were complaints coming from the Alloy apartments. He suggested that they put an Ordinance together that would allow the town to charge the apartments for increased police patrol costs. He asked for Mr. Church's opinion. Mr. Church explained that the town had the ability to license apartment complexes at a higher rate. He said the requirements were that they had to have a fee study done that indicated an increased cost impact to the town for law enforcement services. He said that they could require the apartment complex pay additional fees called a "disproportionate license fee." He suggested that another program was the "Good Landlord" Program. He explained that participants who qualify as a "good landlord" would receive lower business licensing fees. He said that they would need to know several facts in order to do the study. Deputy Gordon noted that the issues were twofold with criminal violation calls, and also calls with non-criminal violations, such as HOA violations. Mr. Gordon asked if those were included in the violations. Mr. Church answered that we are not in a position to enforce HOA or lease rules.

OPEN SESSION: *Open session*

Mayor Farnworth opened the public session.

Vic Larsen, a resident of Orem, introduced himself as the Principal of Vineyard Elementary. He said that he was there to build a stronger relationship in the community. He asked that the Council keep him involved so that he could assist with any concerns that might come up. He stated that he wanted to make a comment about the safe walking pathway that was addressed previously. He noted that there was currently not enough curb and gutter to create a safe pathway. He stated that until the curb and gutter is running continuously to and from residents and the school, they were unable to create a safe walking path according to State regulations. Mr. Larsen explained that this was not a school issue, but a town issue until the curb and gutter was completed. Mr. Overson replied that this was something they would discuss and move forward to a resolution.

Mr. Holdaway said that resident Dave Robins would like to dedicate land for a trail going from Holdaway Road to the end of his property and enough land to go into the park in Orem. Mr. Overson mentioned that Pod 2 in the Homesteads would have a trail into the park and added they are requiring the charter school to have a trail as well.

Resident Tyce Flake appreciated that Mr. Overson created a nice bus stop. He asked about the lighting near the community gathering place. He noted that there was a drug bust near that area. Mayor Farnworth said that the lighting had been discussed. Mr. Overson explained that the existing lighting could be allocated to areas

where it would be more helpful until they are able to get more lighting around the whole town.

Resident Chris Judd noted that on 400 South heading into Sleepy Ridge there were a lot of weeds growing out in to the roadway. Mr. Overson stated that it was private property and they would need permission to spray the weeds. Councilmember Fernandez gave Mr. Overson permission to spray the weeds.

Resident Cristy Welsh from the Garden subdivision mentioned that they needed lights in her subdivision. Mr. Overson replied that he has spoken with Black & McDonald with whom they have contracted to install and repair the streetlights and he said that they would look into the problem.

Ms. Welsh also asked about the street signs. Mr. Overson stated that the sign on 105 E. was incorrect, and that it should be 150 East and would be replaced soon. She mentioned that some of the curb had been removed in front of her house. Mr. Overson said that the asphalt and curb and gutter would be installed before it snows. Mr. Welsh was concerned about having a parking lot at the end of the street and explained that she and other residents in the Garden were opposed to it in light of recent drug busts. Mr. Overson explained that there will be a trail that starts there, they will need access to it, and if there was a trailhead, and no parking lot, then people would park in front of resident houses. She asked that she be considered to fill a Planning Commission vacancy when there was one.

Mayor Farnworth asked for further comments. Hearing none, he closed the public session.

BUSINESS ITEMS:

8.1 DISCUSSION AND ACTION – Interlocal agreement with Utah County

(Resolution 2105-11) This is a request by the Election Official for the Town Council to authorize the Mayor by resolution to enter into an Interlocal Agreement with Utah County providing for the parties' joint efforts to administer the 2015 Municipal General Election and the Utah County 2015 Special Election. The Mayor and Town Council will take appropriate action.

Town Attorney David Church explained that Vineyard was one of the communities in the County that were conducting their elections with all vote by mail. He said that now that the County was placing the potential sales tax for roads on the ballot it created a problem because the County would be holding an election and we were holding a vote by mail election. He said that this created a dispute between the vote by mail cities and the county as to how this was going to take place. He said that the Resolution for this dispute was brokered by the Lieutenant Governor's office and states that we would enter into an agreement with the county where the county would run the vote by mail election with the help of staff, and they would charge us for services, but the County's proposition would be on the ballot along with our ballot items. He mentioned that there was an error in the agreement, where they had taken the resolution from another city put in our amount and left the written number the same.

Mayor Farnworth called for a motion and asked that they include the correction.

Motion: COUNCILMEMBER RILEY MOVED TO AUTHORIZE THE MAYOR TO SIGN AN INTERLOCAL AGREEMENT BETWEEN UTAH COUNTY AND THE TOWN OF VINEYARD REGARDING THE 2015 NOVEMBER ELECTION, AND TO CLARIFY IN ITEM G THAT THE ESTIMATED COST WOULD BE WRITTEN OUT AS FIVE HUNDRED THIRTY NINE DOLLARS AND FIFTY SEVEN CENTS NEXT TO THE SAME NUMERICAL AMOUNT. COUNCILMEMBER FULLMER SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FARNWORTH, COUNCILMEMBER FERNANDEZ, COUNCILMEMBER FULLMER, COUNCILMEMBER GOODMAN, AND COUNCILMEMBER RILEY VOTED AYE. MOTION CARRIED UNANIMOUSLY.

8.2 DISCUSSION AND ACTION – Interlocal agreement with North Utah Valley Animal Services Special Service District (Resolution 2015-)

Town Attorney David Church will present an interlocal agreement with the North Utah Valley Animal Services Special Service District. The Mayor and Town Council will take appropriate action.

Town Attorney David Church explained that there was an animal shelter up the road, run by a special service district owned by the county. He said they had been providing services to the Town and wanted to formalize the agreement. He mentioned that they would charge the town when an animal was picked up in Vineyard and brought to the shelter. He stated that it would also open up licensing so that residents could license their pets. He said that neither their records nor our records showed us being members of the association. Councilmember Riley mentioned that he was surprised that the town did not already have an agreement in place. He asked who was the town's representative on their board. Mr. Church mentioned that it was a County appointment.

Mayor Farnworth called for a motion.

Motion: Councilmember Fernandez moved to authorize the mayor to sign the interlocal agreement with the North Utah Valley Animal Services Special Service District as presented. Councilmember Goodman seconded the motion. Roll call went as follows: Mayor Farnworth, Councilmember Fernandez, Councilmember Fullmer, Councilmember Goodman, and Councilmember Riley vote aye. Motion carried unanimously.

8.3 DISCUSSION AND ACTION – Town Center Ordinance

(15 minutes)

(This item was continued from the September 9, 2015 meeting to allow all Councilmembers to consider it.)

- The Applicant is requesting to amend Section 740 Transit Center Zoning District, and Section 750 Lake Oriented Mixed Use District by replacing these sections with a new section titled Section 740 Vineyard Town Center Zone.
- The Applicant is requesting to rezone parcels 40:455:004, 40:455:003, and 17:024:002 from Lake Oriented Mixed Use to Vineyard Town Center Zone.
- The Applicant is requesting to rezone the parcel west of the Vineyard Connector right-of-way, east to the existing railroad tracks from 1600 N., south to the 1200 N. alignment from I-1 Industrial to Vineyard Town Center Zone.
- The Applicant is requesting to amend the land use definitions for the Transit Center and the Lake Oriented Mixed Use land use categories.
- The Applicant is requesting to amend Chapter 6 of the Vineyard Town Zoning Ordinance relating to the adoption of the new Vineyard Town Center Zone.

The Mayor and Town Council will take appropriate action.

Mayor Farnworth explained that this item was continued from the last meeting to give absent councilmembers an opportunity to discuss it. He reminded the Council that it needs to be approved by the end of September. He turned the time over to John Janson with Civil Solutions.

Councilmember Fernandez stated that he had questions about the parking and if there was a discussion on a Municipal Center in that location.

Mr. Janson mentioned that there was a chapter on parking and that they had a discussion on the promenade and explained the design behind it with angled parking. He said that the promenade was not intended to have a lot of traffic, but be more of a walkway. Councilmember Fernandez asked about parking garages. Mr. Janson mentioned that there were planning and building regulations associated with parking garages included in the ordinance.

Mr. Janson stated that a City Hall was brought up a few times in the discussion but was not included in this type of Ordinance. He went over the staff report's suggestions for future discussions with the landowners. He suggested that they could add having a discussion about a City Hall in the future.

Councilmember Fernandez expressed his concern with not having a discussion like this upfront. Mr. Janson recommended that the Town sit down with Anderson Development to discuss issues that were not resolved with the development agreement.

Mayor Farnworth remarked that this was a comparison between the old Ordinance and the new Ordinance and whether or not they had a better Ordinance.

Mr. Janson reviewed the items that were discussed at the last Council meeting. He explained that the current Ordinance had a requirement for first floor residential everywhere and they concluded that was not workable. He said that they now have areas that were designated non-residential for offices with some commercial. He stated that they included a few areas to allow some residential and flex space.

Mr. Janson explained the Transportation Memorandum from Jake Young and Michael Taylor, which covers the work done on the transportation issues. He said that they modeled the Town Center and the surrounding region and discovered that the Vineyard Connector would have issues in the long run with width and traffic accommodation. He said that there might need to be intersection modifications or road widening in the future to accommodate traffic. He mentioned that the internal system works well with opportunities to have innovative intersections on the exterior. He said these issues were based on the Town Center being built out in approximately 2040. Mr. Jensen explained the model they used and the build out numbers they used. Mr. Overson said that they used the MAG models which showed the old I-15 corridor and added that it was the ends of the roads that failed. He suggested they might need to use a different model before actually building the roads.

Mr. Janson explained the Promenade study that was done and how the design concept and cost estimate did not include land or streets. He said that it would connect the Transit Center to the lake. He mentioned that this was relevant to the part in the code where it explains the open space trading and improvements. He said that this gives the city something to base the requirements on as developments come in. He explained that the developments could make contributions or dedications to the town for the open space demands.

Mr. Janson explained that they allowed the Town Planner the ability to have some discretion for ten (10) percent adjustments on building heights. He said that the Ordinance allows the Lake Front residential district the ability to do single purpose buildings, which could allow for multifamily housing.

Mr. Janson noted that there were a few typos and minor fixes to be done before the Ordinance could be finalized.

Councilmember Riley mentioned the Zions Bank presentation and asked if in this area the market value was where it needed to be, or would the town have to subsidize the rents for this area? Mr. Janson replied that the study did not show any subsidizing. He said that the study suggested that this was not a big box area and that there needed to be more rooftops before these buildings would come through. He stated that subsidies had not been discussed, but there were flex space requirements. He mentioned that other cities might offer incentives such as subsidies to the rents in order to get the commercial in. Councilmember Riley asked if in the seven (7) story building there would be enough demand that they would not have to offer subsidies. Mr. Jason replied that in the commercial area there was nothing in the study indicating the need for subsidies.

Mayor Farnworth asked for further discussion. Hearing none, he called for a motion.

Motion: COUNCILMEMBER RILEY MOVED THAT THE TOWN COUNCIL APPROVE THE PROPOSED GENERAL PLAN AMENDMENT AND ZONING ORDINANCE AMENDMENT AND THE REZONING AS PRESENTED TO US IN THE FIVE (5) STIPULATIONS. COUNCILMEMBER FERNANDEZ SECONDED. ROLL CALL WENT AS FOLLOWS: MAYOR FARNWORTH, COUNCILMEMBER FERNANDEZ, COUNCILMEMBER FULLMER, COUNCILMEMBER GOODMAN, AND COUNCILMEMBER RILEY VOTED AYE. MOTION CARRIED UNANIMOUSLY.

Mr. Jansen thanked the Council for the opportunity to work with the town on this project.

Mr. Church requested that the Food Truck Ordinance and the Railroad Agreement be included on the next agenda. Councilmember Fuller requested that a branding update be included as well.

ADJOURNMENT

Motion: COUNCILMEMBER FERNANDEZ MOVED TO ADJOURN THE COUNCIL MEETING AT 8:24 PM. COUNCILMEMBER GOODMAN SECONDED THE MOTION. ALL PRESENT WERE IN FAVOR. MOTION CARRIED UNANIMOUSLY.

The meeting was adjourned at 8:24 PM. The next regularly scheduled meeting is October 14, 2015.

MINUTES APPROVED ON: October 14, 2015

CERTIFIED CORRECT BY: /s/ Pamela Spencer
P. SPENCER, TOWN CLERK/RECORDER